

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff, and)	
)	
PEOPLE FIRST OF TENNESSEE, <i>et al.</i> ,)	
)	
Plaintiffs-Intervenors,)	
)	
v.)	Civil Action:
)	No. 92-2062 M/P
STATE OF TENNESSEE, <i>et al.</i> ,)	
)	
Defendants, and)	
)	
PARENT-GUARDIAN ASSOCIATIONS)	
OF ARLINGTON DEVELOPMENTAL)	
CENTER,)	
)	
Defendants-Intervenors.)	

**REPORT AND RECOMMENDATION FOR ENTRY OF
AN ORDER FINDING THAT DEFENDANTS HAVE COMPLETED
CERTAIN MATERIAL PROVISIONS OF THE EXIT PLAN**

Before the Court is the request of Defendants the State of Tennessee, *et al.*, made pursuant to paragraph 6 of the Agreed Order (Doc. No. 2942) and Rule 72 of the Federal Rules of Civil Procedure, for this Court to issue a Report and Recommendation that Defendants have completed certain material provisions of the Exit Plan (Doc. No. 2941). In particular, Defendants have requested that they be found to have completed the following provisions of the Exit Plan: Sections II.C.1., II.D.1 and III.F.

Based upon the information provided by the State at the compliance meeting conducted by this Court on April 16 and May 20, 2013, this Court finds, and hereby recommends, that good

cause exists to enter an Order holding that Defendants have complied with Sections II.C.1, II.D.1 and III.F of the Exit Plan. In making this finding in regard to Section II.C.1, the Court also recognizes that Section II.C.2 requires the State to continue to document and track information needed by each potential class member until the end of the period for responding to the Notice of Opportunity to Apply to become a member of the At-Risk Class. Pursuant to paragraph 6 of the Agreed Order, People First and the United States have fourteen (14) days from the entry of this Report and Recommendation to file an objection to it. If no such objection is filed within the prescribed period of time, the findings in this Report and Recommendation shall be final and binding on all parties.

IT IS SO ORDERED, this 31st day of May, 2013.

s/Diane K. Vescovo
DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE